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RHEBAAA/DEPT OF ENERGY WASHINGTON DC IMMEDIATE
RHMFISS/DEPT OF HOMELAND SECURITY WASHINGTON DC IMMEDIATE
RUEAWJA/DEPARTMENT OF JUSTICE WASHDC IMMEDIATE
RHMCSUU/FBI WASHINGTON DC IMMEDIATE
RUEAHLA/HOMELAND SECURITY CENTER WASHINGTON DC IMMEDIATE
RUEKJCS/JOINT STAFF WASHINGTON DC IMMEDIATE
RUEATRS/DEPARTMENT OF TREASURY WASHDC IMMEDIATE
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SUBJECT: MFA DISCUSSES COUNTER-TERRORISM COOPERATION

Classified By: Political Minister Counselor Josiah Rosenblatt, for reasons 1.4 (b) and (d)

¶1. (U) This is an action request. See paragraph 7.

¶2. (S) Summary: In a meeting on October 16, MFA DAS-equivalent for Security in the Bureau of Strategic Affairs, Pierre Thenard, outlined generally positive French views on the Terrorist Inciters/Facilitators Initiative. Thenard inquired about the possible visit in December of the A/S for Counter-Terrorism Crumpton to continue bilateral discussions inaugurated by Counselor Zelikow in 2005. (See Action Request in paragraph 7.) He explained in some detail France's domestic efforts to adopt measures similar to the U.S., E.O. 13224, and improving 1267 Committee cooperation including preserving the committee's relevance. Thenard also touched on French/Israeli counter-terrorism dialogue, ideas for further U.S./France cooperation in the G8, Counter-Terrorism Action Group (CTAG) and French efforts to enforce EU designations like the PKK and Tamil Tigers. End Summary

Terrorism Finance: Terrorist Inciters/Facilitators Initiative

¶3. (S) MFA DAS-equivalent for Security, Pierre Thenard, told us on October 16 that the French interagency was still evaluating the U.S. request to co-sponsor the 1267 designation of five individuals who are known to provide both material support to terrorists and incite/facilitate terrorism. Thenard characterized the overall French response as positive, and explained that the initiative already had a great deal of support in his own office, the French Mission to the UN, the French Embassy in Washington, and several of the French intelligence agencies. He noted, however, that the names were still being vetted with the MFA's Middle East bureau, as well as several other concerned agencies. The GoF, he said, hopes to have a response in the coming week. Thenard added that there is no public debate on this issue in France because the public fully supports actions against individuals who incite terrorism.

¶4. (S) While Thenard was personally supportive of the initiative, he explained that other GoF officials were less certain about its added value. If individuals were already

sanctionable under 1267 for providing material support, some questioned the added benefit of specifying their role in inciting terrorism through speech. Furthermore, Thenard asked if the U.S. was prepared to articulate a threshold for incitement, and if so, which activities would qualify. Poloff explained that highlighting the international community's contempt for inciting/facilitating terrorism, already condemned in UNSCR 1624, was an important aspect of U.S. counter-terrorism policy.

Terrorism Finance: Domestic Legislation to Freeze Assets

15. (S) France's most recent counter-terrorism legislation, adopted on January 24, 2006, permits the government to freeze assets of French citizens and foreigners suspected of money laundering or terrorist financing (Chapter 8, Article 23). According to Thenard, the government's enforcement decree (required of all French legislation that contains an enforcement element) is now in the last stages of negotiation. Several French banks had been particularly difficult because of the onerous burden it would put on them, but most of the details had now been settled. The French plan to issue the decree by the end of 2006. The GoF currently has the capacity to freeze assets based on 1267 designations, but has not had its own domestic legislation (like E.O. 13224) that would allow the government to independently freeze assets of French citizens. Thenard noted that he is not aware of the GoF's initial targets under the new decree, but added that rumors about Corsican separatists were circulating.

U.S./ France Counter-Terrorism Bilaterals in Paris

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16. (S) Thenard said that the French Embassy in Washington had recently informed him of Assistant Secretary Crumpton's upcoming visit to Paris as part of a counter-terrorism conference for American ambassadors posted in North Africa. He asked if A/S Crumpton intended to use the opportunity for continuing U.S./France bilateral discussions on terrorism, inaugurated last year by Counselor Zelikow, adding that the GoF would be pleased to receive A/S Crumpton. Thenard hoped that we could soon begin to outline areas to be discussed. Poloff agreed to contact Washington for further details.

17. (S) Action Request: Can S/CT please confirm that Assistant Secretary Crumpton intends to visit Paris for the December

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6/7 U.S. Ambassadors, Conference? If so, does A/S Crumpton also intend to hold bilateral counterterrorism discussions with the French?

Dialogue with Israel

18. (S) France and Israel held their second annual counter-terrorism bilaterals in Tel Aviv earlier this year, according to Thenard. He said he was impressed by the professionalism and focus of the Israeli delegation, at a particularly tense time in Israel. Dialogue in the security field, Thenard stressed, was quickly improving, despite differences on Middle East issues. The GoF, he added, had seen a solid effort on the part of Israel to reach out and seek French cooperation in counter-terrorism matters.

1267 Cooperation

19. (S) When asked how French officials saw current cooperation on designations, Thenard stressed that the GoF was very pleased with the tools made available by the 1267 committee and thought cooperation with the U.S. in New York,

Washington, and Paris was excellent. He expressed frustration, however, that French intelligence agencies were not willing to share more information on proposed designees. Often, he said, the GoF was inclined to agree with a designation, but not share additional (and often more damning) information on the targets. Thenard called French intelligence agencies "old fashioned," and not accustomed to working with diplomats. He hoped this attitude would evolve over time, and said that the MFA continued to advocate a more forward-leaning approach.

EU vs 1267 Designation of Jihadists

¶10. (S) According to Thenard, the Dutch are advocating an EU designation of a jihadist organization they say is not connected to al-Qaeda. France, he said, preferred to list the organization under 1267, and was arguing the case with its European partners. The GOF sees the 1267 committee as a vehicle for going after all jihadist terrorist organizations because they are by their very nature connected to al-Qaeda. Distinguishing between jihadist groups by taking a more legalistic approach to their direct affiliation with a systematic al-Qaeda network could set an unhelpful precedent that would make it more difficult to use the 1267 tools in the future.

Improving CTAG, CTED, CTC Cooperation

¶11. (S) Thenard raised the possibility of further U.S./France cooperation in the G8's Counter Terrorism Action Group (CTAG), in the form of G8 plus meetings in capitals (similar to what the Russians did during their G8 presidency). He said he was surprised to learn over the past year that many of France's ambassadors were completely unaware of the CTAG. Thenard's idea (not yet a formal proposal) is for the CTAG to identify countries most in need of reform (based in part on the Counter-Terrorism Executive Directorate's (CTED)

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analysis) and instruct G8 Ambassadors in those countries to use the CTAG mechanism to work with the targeted country. This could eliminate the passivity with which many countries react to the UN Counter-Terrorism Committee's (CTC) monitoring mechanism. Thenard added that Israel and China had both expressed a great deal of interest in further cooperation with the G8 on counter-terrorism, and that this might be one vehicle through which we could bring them in.

PKK

¶12. (S) Thenard carefully avoided questions on the PKK, but did note that French intelligence services had their eye on several groups operating in the country and added that the Kurdish population in France was sizable. In response to a very direct question about the GoF's political will to go after PKK operatives, Thenard admitted that the fact that the PKK did not carry out attacks in France might be a factor in the overall policy. He added that the Tamil Tigers had recently been added to the EU list of terrorist organizations, and that while the GoF had no doubts about the nature of the group's terrorist activities, it remained to be seen how the GoF would react. (NOTE: Turkish diplomats in Paris have often attributed what they call "insufficient" French cooperation on the PKK to a lack of political will; because France had never been the victim of a PKK attack it did not want to create tension with local PKK operatives.)

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